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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,864	12/21/2001	Sridhar Ranganathan	KCC-16,282	4026

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EXAMINER

COLE, ELIZABETH M

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/036,864	RANGANATHAN ET AL.	
	Examiner	Art Unit	
	Elizabeth M Cole	1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/12/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 12-25, 29-42, 46-59, 63-68 rejected under 35 U.S.C. 103(a) as being unpatentable over Assarsson et al, U.S. Patent No. 3,901,236 Dodge, II et al, U.S.

Patent No. 5,994,615. Assarsson et al discloses a superabsorbent particle which is coated with a cellulosic material such as cellulosic fiber. See col. 3, line 41- col. 4, line 46. The superabsorbents may be incorporated into airlaid absorbent pads. See col. 7, lines 21-50. The individual particles may comprise up to about 80% which meets the claimed limitations regarding the percent of superabsorbent to cellulosic fibers. See Col. 10, lines 17-26. With regard to limitations regarding the absorbent capacity of the composite absorbent web, although Assarsson et al does not disclose the claimed values, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have optimized the absorbency capacity of the web through the process of routine experimentation by optimizing factors such as the amount and placement of the superabsorbent particles, the choice of the other components of the absorbent pad, etc. Assarsson et al differs from the claimed invention because Assarsson et al does not disclose the claimed density and does not disclose the presence of binders such as binder fibers in the airlaid pads. Dodge teaches at col. 12, lines 5-25 and col. 13, lines 9-16, that suitable absorbent materials, including airlaid webs, may include up to about 10 percent of a binder component based on the weight

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of the web. Dodge teaches that the binder component may comprise a thermoplastic polymeric fiber such as a polyolefin fiber or a bi-component fiber such as a polyethylene/polyethylene terephthalate fiber. See col. 16, lines 10-22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have employed the particularly taught density and binders of Dodge in the airlaid web of Assarsson et al. One of ordinary skill in the art would have been motivated to employ the particularly taught density and binders of Dodge by the expectation that these would enhance the absorbency and strength of the Assarsson absorbent web since Dodge teaches that webs comprising these components are particularly strong and have improved fluid handling properties.

3. Claims 9-11, 26-28, 43-45, 60-62 and 79-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Assarsson et al as applied to claims 1-8, 12-25 29-42, 46-59, 63-68 above, and further in view of Radwanski et al, U.S. Patent No. 4,939,016. Neither Assarsson nor Dodge teaches incorporating elastomeric fibers or meltblown fibers into the airlaid absorbent webs or employing additional layers with the airlaid layer. Radwanski et al teaches that meltblown elastomeric fibers may be incorporated into airlaid webs in order to enhance the aesthetic properties of the web by producing a more cloth-like product. See col. 5, lines 9-27 and col. 6, lines 1-27, col. 7, lines 3-57. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated elastomeric meltblown fibers into the absorbent web of Assarsson, motivated by the expectation that this would enhance the aesthetic properties of the web. Radwanski further teaches that additional layers may be added

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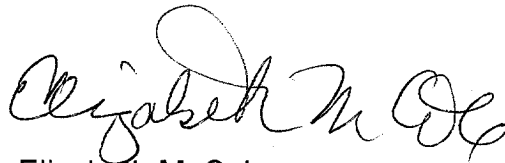
to the web, such as col. 8, line 51 – col. 1-, line 26, in order to enhance and/or additional properties to the fabric. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included additional layers such as those taught by Radwanski into the material of Assarsson, motivated by the expectation that additional properties could be added to or enhanced by the additional layers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Cole whose telephone number is (703) 308-0037. The examiner may be reached between 6:30 AM and 5:00 PM Monday through Thursday.

Mr. Terrel Morris, the examiner's supervisor, may be reached at (703) 308-2414.

Inquiries of a general nature may be directed to the Group Receptionist whose telephone number is (703) 308-0661.

The fax number for official faxes is (703) 872-9310. The fax number for official after final faxes is (703) 872-9311. The fax number for unofficial faxes is (703) 305-5436.



Elizabeth M. Cole
Primary Examiner
Art Unit 1771

e.m.c